

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 3-11, and 21-27 are pending in the present application. Claim 2 is hereby canceled. Claims 24-27 are new. Claims 1, 3, 4, 21, and 22 have been amended. Claims 1 and 4 are independent claims.

The Examiner is respectfully requested to reconsider the outstanding rejections in view of the amendments and the following remarks.

Rejection Under 35 U.S.C. § 112

Claim 22 stands rejected under 35 U.S.C. 112, 2nd Paragraph, as being indefinite. Without conceding the validity of this rejection, Applicants respectfully point out that claim 22 has been amended to render this rejection moot. Particularly, claim 22 has been amended to recite both a first storage and a second storage, and also recite both a first file and a second file. Accordingly, this rejection should be withdrawn.

Rejection Under 35 U.S.C. § 103

Gottzman/Bajikar

Claims 1, 4, 10, 21, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0143772 to Gottzman (hereafter “Gottzman”) in view of U.S. Patent No. 6,577,274 to Bajikar (hereafter “Bajikar”). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Initially, Applicants respectfully refer the Examiner to MPEP § 2143.03, which sets forth the following requirements for a proper rejection under 35 U.S.C. § 103:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.
In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

In the rejection, the Examiner relies on Gottsman's screensaver for the claimed "insecure state." However, the Examiner acknowledges that Gottsman fails to teach or suggest a computer device transitioning directly from the standby state to the insecure state. The Examiner relies on Bajikar to remedy Gottsman's deficiency. Particularly, the Examiner relies on Bajikar's teaching of a predetermined idle period prior to entering the screen saver for the claimed "standby state." See Office Action at page 3.

Without admitting the validity of the Examiner's proposed combination of Gottsman and Bajikar, Applicants have amended independent claims 1 and 4 to recite that the standby state is a state during which the display is powered off and the random access memory of the computer device remains powered. This distinguishes the claimed standby state over Bajikar's idle time period.

Applicants respectfully submit that such amendment does not add new matter to the present application. Particularly, in view of the description in paragraphs 06-07 of the specification, those of ordinary skill in the art would recognize that the standby state described therein refers to the S3 state compliant with the ACPI standard. Further, those of ordinary skill in the art would understand that, during the S3 state, the system powers down various components (including the monitor), while keeping the RAM powered to store system data, so that the user can power back up quickly and resume work where he/she left off. Since those of ordinary skill in the art would realize that the aforementioned amendment merely describes inherent features of the standby state described in the specification, such amendment does not introduce new matter.

In contrast to the claimed standby state, Bajikar's idle time period simply refers to a time period during the *normal working state* of the system without user interaction. Thus, Bajikar's invention does not transition from the claimed standby state directly into its screensaver mode. Accordingly, the proposed combination of Gottsman and Bajikar fails to teach or suggest transitioning directly from the standby state into the insecure state as claimed.

At least for the reasons set forth above, Applicants respectfully submit that claims 1 and 4 are allowable over Gottsman and Bajikar. Accordingly, claims 10, 21, and 23 are allowable at least by virtue of their dependency on claim 4. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Gottsman/Bajikar/Godfrey

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gottsman and Bajikar in view of U.S. Patent No. 6,463,463 to Godfrey et al. (hereafter "Godfrey"). It is respectfully submitted that Godfrey fails to remedy the deficiencies of Gottsman and Bajikar set forth above in connection with independent claims 4. Particularly, the Examiner only relies on Godfrey to teach a calendaring program that displays calendar data from a file (see Office Action at page 5). Accordingly, Applicants submit that claim 11 is allowable at least by virtue of its dependency on claim 4. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Gottsman/Bajikar/Shimizu

Claims 3 and 8 stand rejected under § 103(a) as being unpatentable over Gottsman and Bajikar in view of JP Patent No. 410340146 to Shimizu (hereafter "Shimizu"). Applicants respectfully submit that Shimizu fails to remedy the deficiencies of Gottsman and Bajikar set forth above in connection with independent claims 1 and 4. Specifically, the Examiner merely relies on Shimizu for teachings related to the calculation of the real working time of a personal computer each time the screen saver is executed (see Office Action at page 8). Thus, Applicants submit that claims 3 and 8 are allowable at least by virtue of their dependency on claims 1 and 4. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

Gottsman/Bajikar/Chiu

Claims 5 and 6 stand rejected under § 103(a) as being unpatentable over Gottsman and Bajikar in view of U.S. Patent Application Publication No. 2002/0161804 to Chiu et al.

(hereafter "Chiu"). It is respectfully submitted that Chiu fails to remedy the deficiencies of Gottsman and Bajikar set forth above in connection with independent claim 4. Particularly, the Examiner merely relies on Chiu for teachings related to a note-taking application for receiving text or handwritten notes (see Office Action at page 6). As such, Applicants submit that claims 5 and 6 are allowable at least by virtue of their dependency on claim 4. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted

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